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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,434	01/22/2004	Walter Belchine III	14318	5184

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PAUL F. DONOVAN
ILLINOIS TOOL WORKS INC.
3600 WEST LAKE AVENUE
GLENVEIW, IL 60025

EXAMINER

LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,434

Applicant(s)

BELCHINE, WALTER

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7-13 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 7-13, and 15-20 are rejected** under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,042,159 to Spitzley et al (Spitzley '159).

Regarding claim 7, Spitzley '159 discloses an automobile door handle mechanism comprising a handle mechanism base (28); a handle (30) pivotally connected to the base about a handle axis (about 41); and a latch lever (32 and 34) pivotally connected to the base about a lever axis (about 39).

The handle includes a handle arm (30b) and the latch lever includes a lever arm (32b) engageable with the handle arm for movement upon movement of the handle.

The handle arm and the latch arm are configured and engaged to inhibit rotation of the latch lever without movement of the handle (by means of the connection between 34f and 28d, if there is an impact, the handle will not move and the latch lever is inhibited to rotate).

As to claim 8, Spitzley '159 illustrates that the handle axis (41) is near one end and the lever axis (39) is at the opposite end of the base (Figures 2 and 3).

As to claims 9 and 15, Spitzley '159 illustrates that the lever axis is substantially horizontal or vertical with respect to any convenient point of the vehicle.

As to claim 10, Spitzley '159 illustrates that the lever axis is substantially vertical (with respect to any convenient point of the vehicle).

As to claim 11, Spitzley '159 illustrates that the lever arm extends above the lever axis.

As to claim 12, Spitzley '159 discloses that the mechanism further includes a spring member (36).

As to claim 13, Spitzley '159 discloses that the latch lever further includes a cable arm (32a) defining a slot to receive a cable.

As to claim 16, Spitzley '159 illustrates that the handle includes a portion located in the path defined by movement of a portion of the latch lever in an unlatch direction (Figures 2 and 3).

As to claim 18, Spitzley '159 illustrates that the handle arm (30b) is at least overlapping the lever arm (at 32b) in the unlatch direction (Figure 5).

As to claims 17, 19 and 20, Spitzley '159 illustrates that the lever arm has a protrusion (the part in connection with the end of 30b) that is overlapped by a protrusion or projection at the handle arm (the end of 30b in contact with the latch lever).

Allowable Subject Matter

3. **Claims 1-6 are allowed.**
4. **Claim 14 is objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons For Allowance

5. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art of record and claim 14 presents allowable subject matter over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the handle arm includes a rib that engages a protrusion at the latch lever.

Spitzley '159 fails to disclose that, in order to inhibit the latch lever to rotate without movement of the handle, the handle arm includes a rib that engages a protrusion at the latch lever.

Spitzley '159 illustrates that the lever arm has a protrusion (the part in connection with the end of 30b) that is overlapped by a protrusion or projection at the handle arm (the end of 30b in contact with the latch lever).

However, this connection does not inhibit the latch lever to rotate without movement of the handle. Spitzley '159 discloses a different method to inhibit the latch lever to rotate without movement of the handle. If there is an impact to the door, by means of the connection between the latch lever part 34f and the base part 28d, the handle will not move and the latch lever is inhibit to rotate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

CL
Carlos Lugo
AU 3676

March 9, 2005.



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600